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CLEARINGHOUSE RULE 98-159

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

4. Adequacy of References to Related Statutes, Rules and Forms

a. In s. ATPC 139.01 (3), why is the reference to the Code of Federal Regulations limited only to 16 CFR Parts 1101-1406? Are these the only Parts in Title 16 that are ever to be covered by ch. ATPC 139? All of the regulations relating to the Consumer Product Safety Commission could be included by simply referring to 16 CFR ch. II.

b. The rule prohibits, after June 1, 1999, the sale of children’s clothing, sized 2T to 16, that has drawstrings anywhere on the clothing. The date of prohibition should be contained in the rule text rather than in an applicability provision that may not be published. If it is anticipated that the rule promulgation process will not allow the rule to take effect on June 1, 1999, the date used in the text of the rule draft could be expressed by the phrase “and sold after the effective date of this paragraph [revisor inserts date].”